

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
SEATTLE

RANDI GOMEZ CERVANTES,

Plaintiff,

v.

CYNTHIA MUNITA, Field Office Director for
United States Citizenship and Immigration
Services, Seattle Office, *et al.*,

Defendants.

CASE NO. 2:19-cv-00367-RSL

JOINT MOTION TO STAY
PROCEEDINGS

Plaintiff, Randi Gomez Cervantes, and Defendants, Cynthia Munita, *et al.* (collectively, “the parties”), by and through their respective counsel, jointly move to further stay all proceedings in this matter for an additional 30 days, until December 18, 2019, to allow sufficient time for U.S. Citizenship and Immigration Services (“USCIS”) to issue a decision on Plaintiff’s application to adjust to permanent resident status (“Form I-485”), the denial of which is the subject of this litigation.

On July 19, 2019, the parties jointly moved to stay proceedings for 90 days, until October 17, 2019, and the Court granted that motion on July 24, 2019. ECF No. 11. As indicated in that motion.

THIRD JOINT MOTION TO STAY PROCEEDINGS - 1
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1 to stay proceedings, USCIS reopened Plaintiff's Form I-485 and re-interviewed Plaintiff on July 16,
2 2019. ECF No. 10. On October 17, 2019, the parties jointly filed a second motion to stay
3 proceedings, this time for 30 days. ECF No. 12. In that motion, the parties indicated that USCIS had
4 interviewed an additional individual with knowledge relevant to the application, and that Plaintiff's
5 application remained pending. *Id.* On October 25, 2019, the Court granted the parties second joint
6 motion to stay proceedings, thereby staying the case for an additional 30 days. ECF No. 13. The
7 Court further provided that, if necessary, the parties should file a joint status report by November 18,
8 2019. *Id.*

9 Consistent with the Court's October 25, 2019 Order, the parties wish to inform that Court
10 that on October 22, 2019, USCIS issued a Request for Evidence ("RFE") in Plaintiff's case. Plaintiff
11 has not yet filed a response to that RFE but anticipates doing so in the coming days. Nevertheless, a
12 decision on Plaintiff's Form I-485 remains pending. Insofar as USCIS's forthcoming decision may
13 obviate the need for further proceedings in this matter, the parties jointly move that proceedings be
14 stayed an additional 30 days, until December 18, 2019. This motion is thus supported by good cause
15 and will not result in undue delay in the administration of this case. If the Court grants this Order,
16 the parties will jointly update the Court on or before December 18, 2019, as to the necessity of
17 further proceedings.

18 WHEREFORE, the parties jointly move that this Court stay proceedings for an additional 30
19 days, until December 18, 2019, pending USCIS's further administrative action on Plaintiff's Form
20 I-485.

21 DATED this 18th day of November, 2019.

22 Respectfully submitted,
23 JOSEPH H. HUNT
24 Assistant Attorney General
25 Civil Division

26 WILLIAM C. PEACHEY
27 Director, District Court Section

28 THIRD JOINT MOTION TO STAY PROCEEDINGS - 2
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Attorney for Plaintiff

ORDER

IT IS SO ORDERED. In accordance with the joint motion of the parties, the case is stayed for an additional 30 days, until December 18, 2019. On or before December 18, 2019, the parties shall provide the Court with a joint status report as to the need for further proceedings.

DATED THIS 19th day of Nov., 2019.



HON. ROBERT S. LASNIK
UNITED STATES DISTRICT COURT JUDGE